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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Second periodic reports submitted by States parties to the Covenant concerning rights covered by articles 13 to 15, in accordance with the third stage of the programme established by the Economic and Social Council in its resolution 1988 (LX)

Addendum

[13 December 1989]

CZECHOSLOVAKIA */

Article 13

Principal laws

1. The right of every citizen of the Czechoslovak Socialist Republic to education is laid down in article 24 of the Constitution. This right is concretized in the existence of the system of elementary, secondary and higher education. School attendance of all youth is compulsory from 6 to 16 years of age and is provided for in Act No. 29/1984. It consists of 8 years in elementary school and two years in any type of secondary school, i.e. grammar schools, specialized technical schools or vocational schools.

2. Under Act No. 39/1980 on higher education, all citizens who are interested and who meet the requirements for studies at institutions of higher learning may complete these studies free of charge.

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*/ The initial report submitted by the Government of Czechoslovakia concerning rights covered by articles 13 to 15 of the Covenant (E/1982/3/Add.18) was considered by the Sessional Working Group of Governmental Experts at its 1983 session (see E/1983/WG.1/SR.6-7).

Measures adopted

3. The previous report (E/1982/3/Add.18) was submitted at a time when two concepts of compulsory school attendance existed simultaneously in Czechoslovakia (9 years and 10 years). The transition to a 10-year compulsory school attendance was completed in the academic year 1987/88. There have been no other changes in the system of education and its administration.

Right to primary education

4. With the exception of what is stated in paragraphs 1 and 2 above, no major changes have occurred since the submission of the previous report in the matter of the right to basic education.

Right to secondary education

5. Access to complete secondary education is open to all pupils who have the necessary pre-requisites and meet the requirements for admission to one of the three types of secondary schools, i.e. gymnasiums (grammar schools), specialized secondary schools and specialized secondary technical schools. This education is free of charge.

6. In the specialized secondary technical schools, which train young people for manual skills, the possibility has been provided of progressing directly towards completing secondary education. This is accomplished, on the one hand, through the inclusion of four-year study courses terminated with a school-leaving examination in this type of school and, on the other hand, through the establishment of two-year extension courses tied in to three-year courses in technical schools. The latter studies may take the form of evening courses, extra-mural studies or combined studies at specialized technical centres. Students acquire a complete secondary education and thus have the same opportunities for personal development and social advancement as graduates of secondary specialized and grammar schools.

Right to higher education

7. There have been no major changes since the last periodic report in the field of higher education provided for in Act No. 39/1980 on higher education.

Right to basic education

8. Act No. 29/1984 has not as yet tackled the question of the status of persons who have not acquired or completed a basic education. This Act provides for general compulsory school attendance of 10 years which has to be completed even by a pupil who for various reasons is unable to complete the highest grade of basic schooling. However, an amendment to the Act is being prepared providing for the possibility of terminating basic education even before the completion of 10 years. The amendment should enter into force in 1990.

Development of the educational system

Table 1

Grammar schools, secondary specialized schools and secondary specialized technical centres

	1980/81	1988/89
1. Grammar schools	341	349 a/
Total number of pupils	147 738	145 532 a/
of whom:		
Full-time studies	145 395	142 324 a/
Part-time studies while employed	2 343	1 208
2. Secondary specialized schools	578	561 b/
Total number of pupils	331 334	271 014 b/
of whom:		
Full-time studies	199 248	227 431 b/
Part-time studies while employed	94	43 583
3. Secondary specialized technical centres		953
Total number of pupils	392 461	488 635
of whom:		
Full-time studies	392 461	440 427
Part-time studies while employed		48 208

a/ Including sports schools attached to grammar schools.

b/ Including music and dance schools.

Table 2

Institutions of higher learning

	1980/81	1988/89
Schools	36	36
Faculties	110	112
Total number of students	196 052	172 668
Czechoslovak nationals (full-time studies only)	147 862	136 656
Foreign nationals (full-time studies only)	3 642	5 049
Part-time studies while employed	43 138	30 963

Introduction of an appropriate system of financial security

9. In general outline, the situation described in section H of the initial report (E/1982/3/Add.18, p. 7) still obtains. Under the current legislation (Act No. 29/1984 on the system of elementary and secondary education, sect. 24, and Act No. 77/1978 on State administration in education, as amended by Act No. 48/1984, sect. 25) pupils in secondary schools are provided with scholarships and material security. Pupils in secondary specialized schools receive financial and material assistance from the funds of the organizations for which they are being trained. They receive low cost or free board and accommodation and financial allowances graduated according to specialization and year of study, and ranging from 20 to 600 crowns monthly (Notice No. 3/1987 on the financial and material security of pupils in secondary specialized technical centres).

10. Pupils in grammar schools and secondary specialized schools receive welfare scholarships out of the State budget graduated according to the social conditions of the pupil's family and his performance at school, and ranging from 150 to 400 crowns monthly. There are also scholarships for student mothers, one-time excellence scholarships for students showing continuously outstanding results, and scholarships for students living under particularly difficult social or health conditions (Notice No. 84/1984 on provision of scholarships and material assistance to pupils of grammar schools and secondary specialized schools).

Improvement of the material conditions of teachers

11. Systematic attention is being paid to the development of the educational system. In 1988, the Governments of the Czech Socialist Republic, the Slovak Socialist Republic and the Czechoslovak Socialist Republics considered a summary report analysing the effectiveness of the Czechoslovak educational system on the basis of which the Governments adopted a set of measures to

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raise the quality of educational, material and personnel conditions in schools at all levels. Among them is the elaboration of a set of comprehensive measures to raise the social status of teachers and other educational personnel which were to be submitted in 1989 to all three Governments for their consideration. These measures include a reassessment of salaries in the sector of education.

12. With regard to the right to choice of school and freedom to establish and operate educational institutions, there have been no changes, so that reference may be made to the relevant sections of the previous report (E/1982/3/Add.18, sects. J and K, p. 8).

Article 14

13. Under article 24 of the Constitution, all citizens of the Czechoslovak Socialist Republic are entitled to free education, which applies not only to elementary education but also to secondary and higher education. School attendance is compulsory from the age of 6 to 16. For details, reference may be made to the previous report, specifically section C (E/1982/3/Add.18, p. 3).

Article 15

14. There have been no changes in the legislation relating to the rights set forth in this article, and reference may therefore be made to the general principles contained in the previous report. Some concrete data on the practical implementation of the right to participate in cultural life are shown below, which illustrate the development of this right in the Czechoslovak Socialist Republic.

Right to take part in cultural life

The role of the mass media in the promotion of cultural life

Periodicals

15. In 1988, a total of 1,087 titles of periodicals were published in the Czechoslovak Socialist Republic, of which 773 in the Czech Socialist Republic and 314 in the Slovak Socialist Republic.

Radio

16. Radio continues to play an important role in the cultural life of Czechoslovakia, as is shown by the following data. In 1988, the number of radio receivers in households on the territory of the Czechoslovak Socialist Republic reached 11,120,000, of which 7,749,000 in the Czech Socialist Republic and 3,371,000 in the Slovak Socialist Republic. There are about 200 radio receivers per 100 households. The number of radio licences at 31 December 1988 in the whole of Czechoslovakia was 4,228,991.

Television

17. At 31 December 1988, the number of television licences totalled 4,661,775 (of which 3,347,952 in the Czech Socialist Republic and 1,313,823 in the Slovak Socialist Republic). The number of television sets in households in the territory of the Czechoslovak Socialist Republic reached 7,031,000, of which 4,951,000 in the Czech Socialist Republic and 2,080,000 in the Slovak Socialist Republic. There are about 127 television sets per 100 households.

Overall policy and specific measures aimed at preserving and presenting the cultural heritage of mankind

18. Czechoslovak cultural policy is based on the age-old cultural traditions of the nations and nationalities living in the Czechoslovak Socialist Republic, in which an important role is played by care for the cultural heritage of mankind. The publishing plans of individual publishing houses include every year works by world classics. Classical dramas and operas are also a part of the repertoire of practically all the leading Czechoslovak theatres. In 1988, a total of 6,977 book titles were published in Czechoslovakia, including classics, and a total of 22,222 performances were staged. There was a total of 1,538 plays in the repertoires of Czechoslovak theatres in 1988.

19. As of 1 January 1990, new legislation on theatre activities will become effective and will enhance the role of art unions in theatre management and strengthen their autonomy. For instance, theatres will be able to arrange independently for appearances of their artists outside their theatre commitments, they will guarantee the quality of the performances and will have the possibilty of acquiring an additional source of income. The law also provides for the establishment of theatres by public organizations, strengthens the jurisdiction and the responsibilty of theatre managers for programme planning and also provides that vacancies for theatre managers shall be filled through public competition. At the present time, some legislative initiatives are being considered which fall within the competence of the Ministries of Culture of the Republics and relate to proposed amendments in Act No. 35/1965 on literary, scientific and artistic works and to the adoption of a new act on the publication and distribution of non-periodic publications. These initiatives reflect new society-wide realities which did not exist at the time of the adoption of the previous Act, such as some aspects of copying sound and sound-picture recordings, legal protection of computer programmes, etc.

The right to use the fruits of scientific progress and its application

20. With regard to the general situation, reference may be made to the previous report. Concerning concrete data, expenditures on scientific research in 1988 amounted to approximately 24.7 billion crowns, or about 6 billion crowns more than in 1981, when the previous report was submitted.

21. With regard to the protection of the moral and material interests of authors (see E/1982/3/Add.18, p. 19) it is appropriate to note that Notice No. 25/1967, regulating authors' fees for the publication of literary works, has been amended by notices of the Ministry of Culture of the Czech Socialist Republic (No. 16/1987) and of the Ministry of Culture of the Slovak Socialist Republic (No. 17/1987). In addition, reference is again to be made to the initiative involving partial amendment of Act No. 35/1965, on literary, scientific and artistic works (see para. 18 above), within the framework of which a solution is considered for the protection of computer programmes and some topical questions of royalties in connection with technological advances, particularly cable television and audio and video recordings in the private sphere.

22. The legal protection of authors' interests is moreover strengthened by the possibility of instituting so-called private law suits. Section 32 of Act No. 35/1965 contains a provision relating to the criminal offence of "infringement of copyright": "Whoever deals with a work which is subject to copyright without being authorized to do so in a manner which is within the exclusive right of the author shall be punished by imprisonment for a period of up to six months or by a suspended sentence or fine." With regard to steps taken to preserve, develop and disseminate culture, section D of the previous report applies (E/1982/3/Add.18, p. 21), while taking into account the above. The same may be said of section E, on the right to free scientific research and creative activity (ibid., p. 22).

Encouragement and development of international contacts and co-operation in the field of culture

23. As at 31 December 1988, the Czechoslovak Socialist Republic had concluded a total of 90 cultural agreements comprising 57 programmes of activities and reached agreement on four programmes of cultural exchanges with other States.

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Addendum

NORWAY */

[15 January 1990]

AMENDMENTS TO NORWAY'S INITIAL REPORT OF 10 NOVEMBER 1981

Article 13

Right to education

1. As the law on primary and lower secondary education has been subject to certain amendments and a new law on apprenticeship training was passed in 1980, the text of the previous report (E/1982/3/Add.12) must be modified in consequence. Paragraph 2 (b) under this heading should therefore read:

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*/ The initial report submitted by the Government of Norway concerning rights covered by articles 13 to 15 of the Covenant (E/1982/3/Add.12) was considered by the Sessional Working Group of Governmental Experts at its 1982 session (see E/1982/WG.1/SR.16).

(b) That of 13 June 1969 concerning primary and lower secondary education for all 7- to 16-year-olds in public and private schools, with subsequent amendments, the latest of 18 December 1987, which provides for education in the normal municipal school to the extent deemed feasible ... [remainder of subparagraph unchanged].

A subparagraph (g) should be added, reading:

(g) That of 23 May 1980 concerning apprenticeship training.

Right to primary education

2. Under this heading, only paragraph 6 should be changed, to read as follows:

6. All 7- to 16-year-olds receive compulsory primary and lower secondary education (grunnskole). According to statistical data for 1987, 99.9 per cent of the age group 7-16 receive compulsory education. A great variety of special educational provisions within the compulsory school system makes it possible for practically all youngsters to receive education.

Right to secondary education

3. Under this heading, paragraph 9 should read as follows, paragraph 10 remaining unchanged:

9. Measures for making upper secondary comprehensive education in its various aspects generally available and accessible to everyone are provided by the law (1974) on upper secondary education and the regulations under that law. Special measures to safeguard the educational rights of those attending school are provided in article 8 of the 1974 law. Since the late 1970s, a major objective has been to increase the number of places in upper secondary education. A main concern has been to develop the vocational areas of study as part of a policy of reducing youth unemployment. Development of the system of apprenticeship training regulated by the law of 23 May 1980 has been a key issue. In fact, a great majority of the 15 year-olds completing compulsory schooling now continue to upper secondary level, or 88 per cent in 1988/89. Educational facilities have increased to such a degree that places are in principle available for all from 16 to 19 years old. Due to competition from older pupils, and some studies being more popular than others, all pupils of this age group are not admitted. Statistics for 1988/89 show that 75 per cent of the age group from 16 to 19 received upper secondary education (compared with 54.7 per cent in 1979/80).

Right to fundamental education

4. As Norway, according to law, has had compulsory fundamental education for all for more than two centuries, the questions concerning adult literacy programmes appear in many respects irrelevant. However, some action is taken in this area:

(a) The Adult Education Act of May 1976 is intended to ensure supplementary education for persons placed at a disadvantage as a result of incomplete fundamental education;

(b) Difficulties in localizing the persons in question have led to grants being earmarked for the purpose (oppsøkende virksomhet).

5. Efforts are made to provide adequate adult education for persons who still lack fundamental education, e.g. due to the Second World War (a very limited number of persons, especially from parts of northern Norway and the Sami population), or some mentally retarded persons who did not attend primary school in their childhood. There is also a slowly emerging problem of functional illiteracy among the population in spite of appropriate school attendance. In this case, persons in need of special training in fundamental subjects are entitled to adult education.

6. Adult refugees and immigrants who have not received fundamental education in their native countries are not entitled to such education in Norway, but efforts are now made to develop and test out an alternative model of fundamental education for these groups.

Development of a system of schools

7. Under this heading, paragraphs 16, 17 and 19 remain unchanged, as well as the first two sentences of paragraph 18, which should then continue:

> 18. ... As mentioned above, about 75 per cent of 16- to 19-year-olds are currently in upper secondary education. The student body in higher education has also increased considerably over the last years. The increase was about 25 per cent during the 10-year period to 1988, mainly due to a growth in the college sector. In 1989, the total student body in higher education was about 100,000 and the current objective of the Government is a capacity of 105,000 full-time students by the mid-1990s.

Article 15

Right to take part in cultural life

8. Under this heading, the first two sentences of paragraph 28 remain unchanged. The paragraph then continues:

> 28. ... In 1988, the Norwegian Parliament added a new paragraph to the Constitution. This states that the Government shall take necessary steps to enable the Sami people to safeguard and develop their language, culture and societal life (art. 110 a). General guidelines for Norway's cultural policy for the years ahead have been drawn up in parliamentary reports, the last two presented in 1981 and 1983. The major aim of these reports is to promote cultural democracy, and the key words are decentralization and participation.

The remainder of the paragraph is unchanged.

9. Paragraph 29 should read:

29. The general right of everyone to take part in cultural life is not otherwise established by law, but among the principal laws dealing with specific aspects may be mentioned the law of 1985 on public libraries.

10. At the end of paragraph 30, reference should be made to article 13, paragraph 5 (of E/1982/3/Add.12).

11. In article 31, the introduction remains unchanged. Subparagraph (a) should read:

31. ...

(a) There are annual budgetary contributions for cultural purposes at national, regional and local levels. A new scheme has been in operation since 1986 by which the State transfers funds directly to the local and regional authorities. The State also finances the Norwegian Cultural Fund of 1965, which aims at stimulating cultural activities at all levels.

Subparagraphs (b), (c), (d), (e), (f), (h) and (i) remain unchanged. Subparagraph (g) should read:

(g) Artistic creation in its various aspects, and the dissemination of results, is dealt with by the law of 1961 on creative work. Negotiations between the State and the artists' organizations have resulted in several remunerations payable to artists, for example ... [remainder of text unchanged].

12. Paragraph 32 should read:

32. Limiting factors in the promotion of the above right are usually a matter of economics. A special problem in recent years has been economic difficulties encountered in the counties (regional level) and municipalities.

Protection of moral and material interests of authors

13. Under this heading, paragraph 38 should read:

38. Moral and material interests of authors are covered by the Act relating to property rights to literary, scientific or artistic works of 12 May 1961 (the Copyright Act) with subsequent amendments, the latest of 21 June 1985. Since 1985, the Copyright Act has been subject to some important changes:

(a) From 1 January 1989, the duration of protection for performers, producers of phonograms and broadcasting organizations has been extended from 25 to 50 years (art. 42);

(b) From 1 January 1989, penal sanctions for violating the Act have been extended, mainly to increase the effectiveness of the Act in combating various types of piracy;

(c) In June 1989, Parliament approved new provisions concerning performing artists and producers of phonograms. These groups will now have a right to remuneration for the use of phonograms in broadcast transmissions. Up till now such use - as far as performers are concerned - has been subject to a special levy on all public use of phonograms.

Under the new provisions, a joint organization of performers and producers of phonograms will be established. This organization will be responsible for negotiating with the broadcasters, collect the money and pay the remuneration to the rightful owners. As far as possible, the remuneration will be paid on an individual basis. These new provisions will probably enter into force by 1 January 1990.

Right to freedom of scientific research and creative activity

14. Under this heading, paragraphs 41 to 43 remain unchanged. Paragraph 44 should read:

44. Regarding research and development as fundamental to economic growth, welfare and cultural progress, Norway gives high priority to this area. During the post-war period, a comprehensive institutional system for research and development has been built up in the form of universities and colleges, research institutes and research councils. Total R & D spending, however, has been fairly modest by international standards (1.9 per cent of GNP in 1987), mainly due to the limited volume of R & D financed by industry. The aim is now to bring Norway more into line with those OECD countries which allocate most to this sector. Increased funding will in particular benefit recruitment of researchers, basic research, industry-oriented research and environmental research.

Encouragement and development of international contacts and co-operation in the scientific and cultural fields

15. Under this heading, paragraph 45 remains unchanged, as does the introductory sentence of paragraph 46, which then continues:

46. ... Participation in international R & D programmes is an important part of Norwegian R & D policy. Norway participates in a series of international research programmes, notably CERN, ESA, EMBL and IARC. A frame agreement was concluded in 1986 with the European Community on the basis of which Norway aims at participating in EC research programmes corresponding to the country's priority areas. Norway is an active participant in EUREKA.

47. Norway plays an increasingly active part in international research co-operation. Expanding international co-operation holds out new opportunities for a small country which is entirely dependent on the free flow of knowledge and technology. All internationalization in research is a matter of co-operation between individuals, and the further development of informal networks will be given high priority. Co-operation within organizations focuses on Europe in particular, and centres on natural sciences and technology. Norway attaches importance to improving research co-operation with the European Community.

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Addendum

UNION OF SOVIET SOCIALIST REPUBLICS */

[26 January 1990]

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*/ The initial report submitted by the Government of the Union of Soviet Socialist Republics concerning rights covered by articles 13 to 15 of the Covenant (E/1982/3/Add.1) was considered by the Sessional Working Group of Governmental Experts at its 1982 session (see E/1982/WG.1/SR.11-SR.12).

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PART ONE

1. This report supplements the initial periodic report on articles 13 to 15 of the International Covenant on Economic, Social and Cultural Rights, which was considered by the Sessional Working Group of Governmental Experts in 1982 (E/1982/3/Add.1, dated 27 January 1982).

2. The report is submitted in accordance with articles 16 and 17 of part IV of the Covenant. In its preparation, account has been taken of the general guidelines for second periodic reports on articles 13 to 15 of the Covenant. Accordingly, the second part of the report contains new, supplementary information.

3. The State's fundamental law is the USSR Constitution of 1977 (as amended and supplemented in 1988 and 1989), which ensures continuity with the ideas and principles of the first Soviet Constitution of 1918 and the USSR Constitutions of 1924 and 1936. It sets forth the fundamental elements of the social system and policy of the USSR, the rights, freedoms and duties of citizens and the organizational principles and the aims of the socialist State of the whole people.

4. The Union of Soviet Socialist Republics is a socialist State of the whole people, expressing the will and interests of the workers, peasants and intelligentsia, the working people of all the nations and nationalities of the country (art. 1). All power in the USSR belongs to the people. The people exercise State power through Soviets of People's Deputies, which constitute the political foundation of the USSR (art. 2). The Soviet State is organized and functions on the principle of democratic centralism, namely the electiveness of all bodies of State authority from the lowest to the highest, their accountability to the people, and the obligation of lower bodies to observe the decisions of higher ones (art. 3). The most important matters of State are submitted to nationwide discussion and put to a popular vote (referendum).

5. The Union of Soviet Socialist Republics is an integral, federal, multinational State formed on the principle of socialist federalism as a result of the free self-determination of nations and the voluntary association of equal Soviet Socialist Republics (art. 70). The USSR is comprised of 15 Union Republics, 20 Autonomous Republics, 8 Autonomous Regions, 10 Autonomous Areas, and 128 territories and regions. There are more than 100 nations living in the country.

6. Since the submission of the first periodic report, major changes have taken place in Soviet society. Socialist democracy is at present being developed and deepened and the rights and freedoms of Soviet citizens, together with the mechanisms for their realization, are being broadened in accordance with the policy of perestroika conducted under the leadership of the Communist Party of the Soviet Union.

7. Perestroika is intended to bring out to the full the humanistic nature of socialist society in all its key aspects - economic, socio-political and moral. Its aim is to reassert the priority of human values in economic, social and political relations and in culture.

Perestroika presupposes priority development of the social sphere and the ever fuller satisfaction of the needs of Soviet people for good conditions in their work, everyday life, recreation, education and medical care; protection of their lives, health, dignity and well-being; and constant concern for the spiritual wealth and culture of each individual and of society as a whole.

8. Thus, perestroika means the democratization of the whole of social life, on the basis of further all-round development of the whole range of rights and freedoms of Soviet citizens, improvement of the organizational and legal mechanisms for the exercise of those rights and the strengthening of socialist legality.

9. Information on the changes that have taken place since the consideration of the first periodic report is provided below with respect to specific articles of the International Covenant on Economic, Social and Cultural Rights.

PART TWO

Right to education (art. 13)

10. Since the USSR submitted its initial report on the implementation of article 13 of the International Covenant on Economic, Social and Cultural Rights, substantial steps have been taken in the country to safeguard the right of everyone to education, and these have resulted in tangible achievements.

11. On the basis of the results of nation-wide discussion and taking into account the decisions of the April (1984) Plenum of the Central Committee of the Communist Party of the Soviet Union (CPSU), the Supreme Soviet of the USSR adopted on 12 April 1984 "Basic guidelines for the reform of general-education and vocational schools"; a number of decisions by the governing bodies of the USSR concerning the implementation of those Basic Guidelines were also adopted on the same date. The provisions of these texts, which deal with the rights and freedoms of the individual in the sphere of education, were consolidated in the Fundamental Principles of the Legislation of the USSR and Union Republics on Public Education adopted by the Supreme Soviet of the USSR in 1986.

12. The achievements of this reform of general-education and vocational schools have been:

Inclusion of virtually all youth in the (10-11 year) general-education system;

Substantial improvement of the labour training and preparation of youth;

Continued development of the system of teaching youth to respect the basic rights and freedoms of the individual;

Increases in pay for school teachers and other categories of teaching staff;

Reduction of class sizes and improvement of conditions for individualizing their instruction;

Raising of the level of scientific and practical preparation of youth for life and work in modern society, including study of the fundamentals of modern production, informatics and computer hardware, etc.

13. In 1986-1987, there was extensive public discussion in the USSR of the problems of higher and specialized secondary education and the system of upgrading skills and retraining staff. The results of this discussion were embodied in the Decision of the CPSU Central Committee and USSR Council of Ministers of 13 March 1987 on the main guidelines for restructuring higher and specialized secondary education in the country, as well as in a number of decisions of administrative bodies concerning their implementation.

Since 1987, a series of normative acts have been adopted on matters of public education in the USSR, including Decision No. 329 of the CPSU Central Committee, USSR Council of Ministers and All-Union Central Council of Trade Unions (AUCCTU) of 13 March 1987 on "Improved remuneration of workers in higher educational institutions"; Decision No. 325 of the CPSU Central Committee and USSR Council of Ministers of 13 March 1987 on "Measures for a radical improvement in the quality of training and use of specialists with higher education in the national economy"; Decision No. 328 of the CPSU Central Committee, USSR Council of Ministers, AUCCTU and Central Committee of the All-Union Leninist Communist Youth League of 13 March 1987 on "Measures to improve the material and living conditions of postgraduate students and of students at higher and specialized secondary educational institutions"; Decision No. 686 of the USSR Council of Ministers of 18 June 1987 on "Material support and benefits for students at technical colleges"; Decision No. 263 of the USSR Council of Ministers of 22 February 1988 on "Material support for students at secondary vocational and technical schools"; and Decision No. 922 of the USSR Council of Ministers of 29 July 1988 on "Improvement of the work of preparatory departments in higher educational institutions".

In accordance with these texts:

Access to training in higher educational institutions has been considerably broadened by abolishing the privileges in respect of admission granted to the members of some social and professional groups;

Greater efforts have been made to enhance the role of the humanities in higher and secondary education, to integrate vocational training more fully with the study of cultural and moral values, and to promote the education of youth in the spirit of peace and respect for fundamental freedoms and human rights;

The pay of teachers at higher and other post-secondary educational institutions is to be raised as from December 1989;

The system of education for older students, especially upgrading of skills and retraining of workers and specialists, is being strengthened and expanded.

14. In addition, drafting work has now been completed on a new edition of the Fundamental Principles of the Legislation of the USSR and Union Republics on Public Education and of the regulations governing higher educational institutions and secondary general-education schools. These drafts devote

great attention to raising the quality of instruction and to increasing the independence of educational institutions, and grant extensive rights to teachers' and students' bodies.

15. At the same time, the reform of general-education and vocational schools and the restructuring of higher and specialized secondary education and the system for upgrading of skills and retraining have revealed a widening gap between those institutions and the radical changes in Soviet society that have been gathering momentum since 1985. Ways of bridging this gap and of more consistently and successfully revitalizing the Soviet educational system at all levels were discussed at a plenum of the CPSU Central Committee in February 1988 and at the All-Union Congress of Public Education Workers held in December of that year. The decisions taken at those meetings and reflected in a variety of subordinate legislation and in the draft Fundamental Principles of the Legislation of the USSR and Union Republics on Public Education, call for:

Further democratization of public education, including the establishment of a State-cum-public system of management of educational institutions, and development of self-management in schools at all levels with pupil and parent participation;

Creation of the requisite conditions for more fully satisfying the national cultural and other educational needs of the population by inter alia, developing native-languages instruction and allowing the governing bodies of educational institutions in the Union and Autonomous Republics to decide on up to 60-65 per cent of the curriculum,

Creation of the requisite conditions for obtaining secondary education by various means and, consequently, extending the possibilities for organizing educational institutions of various types and introducing courses chosen by the students themselves, subject to compliance with the minimum standards laid down by the State;

Further humanization and individualization of education and avoidance of compulsion in this area, for example by eliminating authoritarian methods of teaching and moving towards methods based on co-operation;

Strengthening of the social functions of the educational system, in particular with regard to child and maternal welfare, and creation of favourable conditions for the teaching and vocational training of invalids, orphans and children who are mentally or physically disabled;

Establishment of a unified system of continuing, life-long education;

Substantial strengthening of the material base of public education and improvement of its financial situation.

16. At the time of writing of this report, the most notable achievements have been in the recognition and exercise of the fundamental rights and freedoms of the individual in the field of education. Whereas previously these rights and freedoms were taken to mean equality of educational opportunity within a uniform school system, today the school system is turning towards

accommodating the varied educational requirements of pupils and their parents. The changes are especially rapid as regards satisfying the national cultural needs of pupils and their parents in the field of education.

17. Significant progress has also been made in developing the system of continuing education. The most rapid advances have occurred in the retraining of staff in areas of science and technology of promise for the future.

18. A new development for the Soviet Union has been the establishment of co-operative educational institutions of various types. There has been a considerable expansion of the cultural and educational activities of the mass media and of public organizations such as the Soviet Children's Fund and the Soviet Cultural Fund.

19. The Soviet Union's international links in the field of education are being developed. In addition to the traditional co-operation in this area with the socialist countries, regular exchanges have now been organized with school children and students of the United States, France, the Federal Republic of Germany and a number of other countries. The Soviet Union's public education institutions are also playing a more active part in the work of organizations within the United Nations system, in particular UNESCO and UNICEF.

20. Among the main factors affecting the degree of fulfilment of the Soviet Union's obligations under articles 13 to 15, mention should be made of the country's difficult economic situation and of social instability. While the first factor is a constraint on the allocation of the resources needed by the public education system in the USSR to guarantee individual freedoms to the fullest extent, the second is giving rise to manifestations of extremism that not infrequently infringe citizens' lawful rights.

In particular, the positive process of satisfying the cultural and educational needs of the indigenous populations of the Union Republics is at times taken to such extremes that, because of an artificially created language barrier and a negative psychological climate, young people of other Soviet nationalities encounter needless difficulties in gaining admission to higher or secondary educational institutions, are forced to study at schools a long way from their place of residence, and so forth. A particularly difficult situation has come about in Azerbaidjan and Armenia, where, since the interethnic conflict in Nagorno-Karabakh, thousands of schools teaching respectively in the Armenian and Azerbaidjani languages have been closed. A very similar situation exists in the Abkhaz ASSR, where the indigenous population opposed the establishment of a branch of Tbilisi State University in the capital of Abkhazia, thus infringing the rights of the many Georgians in the population of this Autonomous Republic.

21. Manifestations of national enmity are quite often exacerbated by religious intolerance. This in turn is hindering the enactment of legislation pursuant to the Soviet Union's undertakings under article 13, paragraph 3, of the Covenant to guarantee the rights of parents and legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

22. The legislation currently in force, while establishing the secular nature of education in State educational institutions, contains no rules prohibiting the religious and moral education of children according to the wishes of their parents or guardians. Indeed, measures have been taken to prevent the recurrence of infringements of the freedom of parents or legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

23. A draft law of the USSR on "Freedom of conscience and religious organizations" has now been drawn up. It reflects in particular the following provisions of the international undertakings on human rights: respect for the right of everyone to give and receive religious education in the language of their choice, individually or together with others; and accessibility of the various forms and levels of education to all without discrimination on grounds of religion. The draft law provides that citizens may give or receive religious instruction privately, either individually or together with others, at home or within the framework of a religious association. The State must ensure for citizens of the USSR, regardless of their attitude towards religion, access to the different forms and levels of education and guarantee respect for the freedom of parents to ensure the religious and moral education of their children in conformity with their own convictions. In the draft it is proposed that parents or persons acting in loco parentis shall have the right to ensure the religious and moral education and instruction of their children in conformity with their own convictions.

24. Particular reference should be made to the difficulties involved in applying the new approaches called for by the restructuring of secondary and higher education. Thus, the switch to non-compulsory (albeit still universally available) secondary education and the concomitant raising of the level of knowledge required of school children have led to a slight reduction (3 to 5 per cent) in the proportion of persons completing full secondary schooling. Similarly, raising of the quality standards applicable to the training of specialists has brought about a reduction in the total number of students in higher education from 5.3 million to 5 million. It is clearly to be hoped that these trends will be reversed or halted in the future.

Right to take part in cultural life (art. 15)

25. The Soviet Union is a State whose culture has developed through the exchange of cultural experience among the great many peoples and nations of which it is comprised. No other country in the world exhibits such a variety and such interpenetration of cultures.

26. For this very reason it is extremely important to preserve national individuality in all areas of culture. The achievement of genuine internationalism involves a recognition of the value and independence of all national cultures.

27. The law in the USSR continues, as before, to provide for the free development and equitable use by all Soviet citizens of their mother tongue, a requirement emphasized in the decisions of the February 1988 plenum of the CPSU Central Committee.

28. Yet it is also essential to consider the future development of national relations. Today, as democracy and self-management are being extended, as national self-awareness grows rapidly among all nations and nationalities, and as the processes of internationalization are deepening, it is especially important to resolve issues in a timely and fair manner on the only basis possible: in the interests of the prosperity of all nations and nationalities, in the interests of their continued rapprochement, in the interests of society as a whole. In this regard, the fact that negative phenomena and distortions have occurred in the sphere of national relations cannot be ignored. There have been manifestations of parochialism, trends towards national exclusiveness or arrogance, and even public disturbances. Perestroika in the Soviet Union aims precisely to eliminate such phenomena.

29. The task is to ensure that economic and social progress in each national region is accompanied by spiritual progress, with emphasis on the cultural identity of nations and nationalities, and to afford nationalities living outside their own State territories and those not having such territories greater opportunities to provide for their national cultural needs and to create centres of national culture.

30. To satisfy the cultural aspirations of members of nationalities that live outside their own State territories or do not have such territories, national cultural centres and educational societies are being set up in the USSR.

Thus, the centres established in 1989 in Moscow alone included: the S. Mikhoels Jewish social and cultural centre; the "Vozrozhdeniye" socio-political and cultural society for Soviet Germans; the "Slavutich" society for Ukrainians living in Moscow; and the "Yusisapail" Armenian cultural centre, the "Tugan Tel" Tatar cultural centre and the "Nara" Lithuanian cultural centre.

These societies see their main task as being to contribute in every way to the preservation and advancement of national cultures, languages and traditions.

31. Foreign cultural links are an integral part of the Soviet Union's foreign policy, and an important medium for contacts between peoples and the affirmation on the international scene of the principles of the new political thinking.

32. The Soviet Union now has cultural exchanges with approximately 130 countries, including contacts with 115 countries on the basis of formal intergovernmental agreements and programmes.

33. The process of perestroika and the democratization of the spiritual life of our society are having a decisive influence on the nature of the Soviet Union's foreign cultural relations. In the last few years, positive advances have been made in utilizing the country's cultural potential as a tool for public and popular diplomacy in international relations, and steps have been made towards democratizing and decentralizing cultural co-operation, increasing the independence of the Union and Autonomous Republics and local Soviets in the area of foreign cultural exchanges, extending further the practice of direct links with the foreign counterparts of Soviet cultural institutions and organizations, arts groups and so forth, and establishing and

strengthening personal contacts between Soviet cultural and scientific figures and their foreign colleagues in the interests of promoting a human approach in international relations and protecting common human values.

34. Since the inception of perestroika, cultural exchanges have increased significantly in numerical terms: under arrangements made by the State or public organizations, more than 50,000 Soviet cultural figures travelled abroad and more than 30,000 such visitors came to the USSR in 1988 (in 1985 the figures were approximately 30,000 and 20,000, respectively).

The expansion of cultural exchanges even concerns, in particular, avant-garde art, which was long isolated and ignored by official culture.

35. Certain difficulties have arisen in the process of democratizing cultural exchanges; they relate mainly to the ability of the Union Republics and the local Soviets to exercise their rights (for example, in financial and economic respects) on their entry to the external cultural market, to their lack of experience and staff needed for the independent conduct of international contacts, and so forth. The rules on financing of the foreign cultural contacts of Union and Autonomous Republics, regions and cities under the independent accounting system now being applied to individual republics, regions, etc., need to be more clearly defined. The machinery for direct links has not as yet been fully developed.

36. Under perestroika many negative phenomena in the field of culture are being overcome. Culture must be promoted in the USSR primarily by giving priority to human values. This means returning to the humanities, the arts and high moral values, and making technology serve the interests of humanitarian culture. It also means developing everyone's individual characteristics and freedom for the development of the individual and of his personality in the way that will most help to bring out his talents. Lastly, it involves shaping the human personality and counteracting the depersonalization of the individual by "mass culture".

37. One manifestation of the new cultural policy is to be found in the programmes of the recently constituted Soviet Cultural Fund; these include the "Culture of minority peoples", the "Return of forgotten names" and the "Pushkin" programmes. The novelty of these developments lies in the fact that the Cultural Fund is an organization run by the public, with eminent scholars and cultural figures and a wide spectrum of people active in the field of culture being involved in the planning of its programmes.

38. The new cultural policy is also manifested in the renewal of contacts with our compatriots abroad: they are an integral, living part of the country's culture.

39. Another example of the new approach in the field of culture is the establishment of the Council for Film Culture under the Union of Cinematographers of the USSR. The Council has taken the initiative of addressing the fundamental artistic, scientific and sociological problems which arise at the interface between the cinema, television, video and computer cul res.

40. An important and current process is that of realization by the unions of creative workers that they are not just professional organizations but also communities performing a cultural function of their own in society. This is helping to promote greater integration in society of the country's creative forces, which are still somewhat dispersed. Examples of this type of change are the active participation of creative unions in preserving the cultural heritage and in addressing environmental problems.

41. A new feature of cultural life today is that many informal and co-operative associations whose main activities do not lie in the field of culture are sponsoring a variety of cultural programmes and events.

42. Today's greater accessibility of cultural treasures is reflected in the fact that the public can once again admire works of art that for years were kept from the people. Thus the wholeness of culture is being restored and individual spiritual freedom extended.

43. Spiritual freedom is now beginning to acquire a real basis. As mentioned above, a law on freedom of conscience and religious associations is in preparation. Throughout the country, temples, chapels, mosques, monasteries and other such buildings are being repaired or restored and new ones are being opened. In 1989, a total of 2,235 religious associations were registered, of which 1,780 were Russian Orthodox, 174 Muslim, 98 Catholic, 89 Protestant. That is rather more than twice as many as for the whole of 1988. Registration is accorded to all religious associations which recognize the country's laws, the present Constitution and the legislation concerning acts of worship.

44. The number of titles published by religious associations is about 50. Over the past 15 years the Bible has been reprinted four times in large numbers (250,000 copies). The Koran has been reprinted several times. Religious news publications and books on theology are regularly issued. The Catholic bishoprics of Lithuania and Latvia have issued the New Testament, Psalter and prayer-books in their national languages several times over the past six years. A new monthly publication, the "Moscow Church News", appeared in 1987 for the first time, and is printed in Russian, English, French, German and Spanish (1,000 copies in each language).

45. By agreement with the relevant authorities, the churches are allowed to import religious literature from abroad. During the year which marked the millennium of Christianity in Russia, for example, a total of 1,200,000 copies of religious, theological, historical and canonical literature were sent to the Soviet Union, including 100,000 copies of the Bible in Ukrainian from the World Council of Churches, 10,000 copies of the Talmud from Jewish church leaders in the United States, and a number of copies of the Koran from Jordan; 110,000 copies of the Bible and the Gospels were donated by the Pope.

46. Representatives of the various religions have the opportunity to speak regularly on radio and television, to take part in news and discussion programmes and linkups with foreign countries, and so forth.

47. The religious communities have set up and run 18 theological colleges (with more than 2,000 students, or twice as many as 15 years ago), including five Orthodox institutions (three seminaries and two academies), two Catholic

institutions, an Islamic institute and madrasah, a Jewish yeshiva, an academy of the Armenian Apostolic Church, a seminary of the Georgian Orthodox Church, courses for Evangelical Christian Baptists, and so forth.

48. Mention should be made of the churches' charitable activities and of its donations, in particular to the Soviet Cultural Fund. Some 45 million roubles come from church sources each year for the rebuilding or restoration of places of worship, 1,786 of which are historical and architectural monuments.

49. Unfortunately, the situation regarding these monuments is still unsatisfactory. This is due to the poorly developed state of the material base of culture. The distressing economic situation in this area is a major problem.

50. Nevertheless, despite the country's difficult overall financial position, the Supreme Soviet of the USSR is widely debating the question of drawing up basic legislation on culture which would provide for regular funding and the implementation of a stable cultural policy.

51. With regard to copyright, radical changes are now being made in Soviet law. Draft amendments to section IV of the Fundamental Principles of the Civil Legislation of the USSR and Union Republics have been prepared. These changes are designed to improve copyright rules and to bring existing legislation into conformity with present-day international standards.

52. The proposed changes take account of new technical means of diffusion, such as cable and satellite television and video, and of new types of products, in particular computer programs and videograms. The draft provides for the number of exceptions to authors' exclusive rights to be reduced to the minimum allowed by international conventions, and extends the period during which an author's rights are protected after his death from 25 to 50 years.

53. The USSR Deputy Minister for Foreign Affairs, Mr. V.F. Petrovsky, announced at an international news conference in London that the Soviet Union is completing the necessary preparatory work so that it can shortly become a party to the Berne Convention.

54. Once the proposed amendments are adopted, Soviet copyright law will be fully in conformity with the Berne Convention for the Protection of Literary and Artistic Works, which affords the greatest degree of protection of authors' rights.